

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

Chambers of  
**Ellen Lipton Hollander**  
District Court Judge

101 West Lombard Street  
Baltimore, Maryland 21201  
410-962-0742

August 19, 2016

MEMORANDUM TO MR. MUA, MS. VANDENPLAS, AND COUNSEL

Re: *Mua et al. v. State of Maryland et al.*  
Civil Action No. ELH-16-1435

Dear Mr. Mua, Ms. Vandenplas, and Counsel:

As you know, on May 12, 2016, plaintiffs filed suit against three defendants: the State of Maryland; California Casualty Indemnity Exchange (“CCIE”); and Marsden & Seledde, LLC, a law firm. *See* ECF 1, “Complaint.” Plaintiffs allege that defendants violated the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, and Maryland law with respect to events that transpired following a vehicular accident that occurred in August 2011. ECF 1, ¶ 8.

Currently, there are two pending motions to dismiss the Complaint. On June 2, 2016, CCIE and Marsden & Seledde filed a joint motion to dismiss, pursuant to Fed. R. Civ. P. 12(b)(6). ECF 10. And, on June 9, 2016, the State of Maryland filed a motion to dismiss or, in the alternative, for summary judgment. ECF 17.

Additionally, on July 19, 2016, CCIE and Marsden & Seledde filed a “Joint Motion for Costs and Attorneys’ Fees and for Pre-Filing Injunction.” ECF 25. Thereafter, on August 18, 2016, CCIE and Marsden & Seledde filed a “Joint Motion to Strike Notice of Removal” (ECF 28), requesting that the Court strike plaintiffs’ filing in ECF 24, which is docketed as “Correspondence” and includes a notice of removal related to separate cases.

On June 17, 2016, plaintiffs filed a motion seeking a 90-day extension in which to respond to the motions to dismiss or, alternatively, to stay the case. ECF 21. By Order of June 20, 2016, I granted plaintiffs a 30-day extension. ECF 22. Thereafter, plaintiffs filed a “Motion for 2nd Extension of Time to File Plaintiffs’ Responses in the Alternative Short Break of the Matter Due to Concurrent Cases and Appeals; Supporting Declaration.” ECF 26. As a courtesy, by Order dated July 20, 2016, I granted plaintiffs an additional extension, until August 19, 2016, by which to respond to the pending motions. ECF 27.

On August 19, 2016, the Clerk docketed plaintiffs’ “Motion for 3rd Extension of Time to File Plaintiffs’ Responses Due to Conflict in the U.S [sic] Court of Appeal for Fourth Circuit; Supporting Declaration.” ECF 29. Plaintiffs now seek an additional five-day extension in which to file responses to the pending motions. *Id.* at 1. Plaintiffs have filed a lengthy memorandum in support of their request, and describe in considerable detail the “conflicts and extraordinary

circumstances” that have prevented them from responding in a timely manner. *Id.* at 3. Plaintiffs’ arguments are not compelling. Nevertheless, I shall allow them one final extension, of five days, in which to file their responses to the pending motions.

Accordingly, I shall grant ECF 29, and extend until August 24, 2016, the time by which plaintiffs must respond to the pending motions: ECF 10, ECF 17, and ECF 25. However, by August 22, 2016, defendants may move to rescind this Order as improvidently granted.

Despite the informal nature of this Memorandum, it is an Order of the Court, and the Clerk is directed to docket it as such.

Very truly yours,

/s/

Ellen Lipton Hollander  
United States District Judge